

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2013 MAY 13 AM 4:16

CLERK
AT GAITHERSBURG

BY _____ DEPUTY

UNITED STATES OF AMERICA, :

Plaintiff, :

v. :

Civil Action No.

WMN-13-1405

One 2005 Ford F150 King Ranch Super
Crew Cab, VIN # 1FTPW14515KE44282

Defendant.

: : : : : :

VERIFIED COMPLAINT FOR FORFEITURE

Plaintiff, the UNITED STATES OF AMERICA, by its attorneys, Rod Rosenstein, United States Attorney for the District of Maryland, and Stefan D. Cassella, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil forfeiture action against a vehicle involved in violations of the Controlled Substances Act that is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

THE DEFENDANT IN REM

2. The defendant is One 2005 Ford F150 King Ranch Super Crew Cab, VIN # 1FTPW14515KE44282 (the "Defendant Vehicle") which was seized on November 28, 2012, from Charde Michele Smith and Jermaine Jerod Brown, and subsequently was placed in the custody of the Drug Enforcement Administration in the District of Maryland where it remains.

JURISDICTION AND VENUE

3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Vehicle. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 21 U.S.C. § 881.

4. This court has *in rem* jurisdiction over the Defendant Vehicle under 28 U.S.C. § 1355(b).

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395 because the property is located in this district.

BASIS FOR FORFEITURE

6. The Defendant Vehicle is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4) as a vehicle used, or intended to be used, to transport, or in any manner facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

FACTS

7. The forfeiture is based upon, but not limited to, the evidence outlined in the attached Declaration of Dennis Maye, Special Agent of the Drug Enforcement Administration, which is incorporated herein by reference.

WHEREFORE, THE Plaintiff prays as follows:

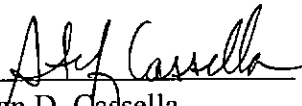
1. That any person or persons having any interest therein be cited to appear herein and answer the Complaint;

2. That a Warrant of Arrest *in rem* issue to the United States Marshal commanding the arrest of the Defendant Vehicle;
3. That Judgment of Forfeiture be decreed against the Defendant Vehicle;
4. That upon Final Decree of Forfeiture, the United States Marshal dispose of the Defendant Vehicle according to law;
5. That the Plaintiff has such other and further relief as the case may require.

Dated: May 10, 2013

Respectfully submitted,

Rod J. Rosenstein
UNITED STATES ATTORNEY
District of Maryland


Stefan D. Cassella
Assistant United States Attorney
36 South Charles Street
Fourth Floor
Baltimore, Maryland 21201
Tel: (410) 209-4800

DECLARATION

This affidavit is submitted in support of a complaint for forfeiture of a **2005 Ford F150 King Ranch Super Crew Cab**. The vehicle was seized on the 28th day of November, 2012, from Jermaine Jerod BROWN at 1900 Copeland Street, Apt. F, Annapolis, Maryland.

I, Dennis W. Maye, Special Agent of the Drug Enforcement Administration, submit that there are sufficient facts to support a reasonable belief that the **2005 Ford F150 King Ranch Super Crew Cab** constitutes a vehicle used, or intended to be used, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances in violation of 21 U.S.C. § 841, and thus is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

a. During the months of February 2012 to November 2012, members of the Baltimore County Police Department, hereafter referred to as the BCPD, conducted an investigation into the illicit cocaine distribution scheme of Dwayne Booze ("Booze").

b. Through information gathered by confidential informants, surveillance, electronic data, controlled buys, and a court ordered wiretap, the BCPD was able to identify co-conspirators and the various roles they played in the criminal enterprise. The BCPD, through these investigative tools, identified Jermaine Jerod Brown ("Brown") as a cocaine source for Booze.

c. During the course of this investigation, the BCPD observed Brown utilizing a 2005 Ford F150 King Ranch Super Crew Cab bearing Maryland tags 5AV1386 (the "Vehicle") to facilitate his drug trafficking efforts.

d. On November 28, 2012, the BCPD executed multiple search and seizure warrants in this investigation, including one at 1900 Copeland Street, Apt. F, Annapolis, Maryland, 21401.

e. This warrant was executed with the assistance of the Annapolis Police Department, hereafter referred as the APD.

f. Upon entry of the residence at 1900 Copeland Street, Apt. F, the BCPD and the APD found Brown and Charde Michele Smith ("Smith"). During a post-Miranda interview, Brown told members of the BCPD and the APD where they could find marijuana and cocaine.

g. A search of the residence revealed approximately 21.6 grams of marijuana, which was packaged for distribution in 11 bags, and approximately 178.1 grams of crack cocaine.

h. The BCPD and the APD seized the Vehicle that was used by Brown during this investigation to conduct his illicit drug activity.

i. The Vehicle is listed through the Maryland Motor Vehicle Administration to Smith at 1900 Copeland Street, Apt. F, Annapolis, Maryland, 21401.

j. However, Brown exclusively utilized the Vehicle during this investigation, and he did so for the purpose of conducting his drug activity.

k. During the execution of this warrant, police recovered documentation indicating that Brown is the true owner of the Vehicle. These documents include: a State of Maryland Motor Vehicle Inspection Report; a receipt from the service station that completed the Maryland State Inspection (which was noted as being "paid in cash"); and a bill of sale.

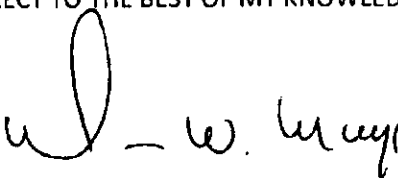
l. Those involved in illicit drug activity often utilize vehicles listed to other people in order to insulate them from law enforcement detection, and to protect their assets from being seized.

m. A criminal history was conducted and revealed no prior arrests for Brown or Smith. In this case, both Brown and Smith were charged with felony drug charges.

n. A wage and earnings history was queried for Brown and revealed that he had no record of reported legitimate income in the State of Maryland.

o. A wage and earnings history was queried for Smith and revealed that she earned \$14,671.00 in reported legitimate income for the year 2011, and \$14,344.00 thus far for the first three quarters of 2012.

I DECLARE UNDER PENALTY OF PERJURY PURSUANT TO TITLE 28 U.S.C. § 1746 THAT THE FACTS SUBMITTED BY THE BALTIMORE COUNTY POLICE DEPARTMENT, IN REFERENCE TO THE SEIZURE OF A 2005 FORD F150 KING RANCH SUPER CREW CAB FROM JERMAINE JEROD BROWN AND CHARDE MICHELE SMITH ARE ACCURATE, TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

A handwritten signature in dark ink, appearing to read "Dennis W. Maye", is written over a horizontal line.

Dennis W. Maye


Special Agent

Drug Enforcement Administration

VERIFICATION

I, Stefan D. Cassella, declare under penalty of perjury as provided by 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture is based on reports and information furnished to me by the Drug Enforcement Administration and that everything contained therein is true and correct to the best of my knowledge and belief.

Dated: May 10, 2013



Stefan D. Cassella
Assistant U.S. Attorney

MEMORANDUM

DATE: May 13, 2013

TO: Kristine Cupp
U.S. Marshal Service

FROM: Theresa Tepe,
FSA Paralegal Specialist
U.S. Attorney's Office - District of Maryland

RE: **U.S. v. One 2005 Ford F150 King Ranch Super Crew Cab,
VIN 1FTPW14515KE44282**

Civil Action No.

CATS ID 13-DEA-576497 – GD-13-0080

The United States has filed a forfeiture action against **One 2005 Ford F150 King Ranch Super Crew Cab, VIN 1FTPW14515KE44282**. A copy of the Complaint for Forfeiture is attached.

Notice of this seizure will be published at www.forfeiture.gov pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims.

Thank you.

Attachment

**U.S. Department of Justice
United States Marshals Service**

**PROCESS RECEIPT AND
RETURN**

PLAINTIFF
UNITED STATES OF AMERICA

DEFENDANT
One 2005 Ford F150 King Ranch Super Crew Cab, VIN 1FTPW14515KE44282

COURT CASE NUMBER

2013 MAY 13 WMN-13-1405

TYPE OF PROCESS
Verified Complaint in Rem

SERVE

AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
GD-13-0080 / 13-DEA-576497

ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:

Theresa Tepe, FSA Paralegal Specialist
U.S. Attorney's Office
36 S. Charles Street, 4th floor
Baltimore, Maryland 21201

Number of process to be
served with this Form - 285

Number of parties to be
served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

Arrest property. Fill in the date of arrest in this process receipt and return our copy.

Signature of Attorney or other Originator requesting service on behalf of:

TELEPHONE
NUMBER
410.209.4800

DATE
5/13/13

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time
am
pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund
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REMARKS: